

Translation

PATENT COOPERATION TREATY

PCT/AT2003/000331



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference L57-394000-PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/AT2003/000331	International filing date (day/month/year) 06 November 2003 (06.11.2003)	Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC C03B 33/033		
Applicant LISEC, Peter		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u>4</u> sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

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Date of submission of the demand 21 August 2004 (21.08.2004)	Date of completion of this report 17 February 2006 (17.02.2006)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/AT2003/000331

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages _____ 2-6 _____, as originally filed
 pages _____, filed with the demand
 pages _____ 1,1a _____, filed with the letter of _____ 21 December 2005 (21.12.2005)
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages _____ 1-13 _____, filed with the letter of _____ 21 December 2005 (21.12.2005)
- ☒ the drawings:
 pages _____ 1 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

- These elements were available or furnished to this Authority in the following language _____ which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/ or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/AT 03/00331

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-13	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-13	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO

2. Citations and explanations

This report makes reference to the following documents:

D1: EP 1 334 953 A2

D2: AT 399 144 B

D3: EP 0 585 694 A1

1. The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 1-13 is not inventive (PCT Article 33(3)).

1.1 In the closest prior art (D1, D2) a glass sheet is severed along a scored line generated in the sheet, in that the sheet is so strongly bent that it breaks along the score line. This prior art is found in the characterising part of claims 1 and 5.

The subject matter of claims 1 and 5 is therefore novel (PCT Article 33(2)).

1.2 The subject matter of claims 1 and 5 differs from the known process and device in that,

- the glass sheet is pre-stressed by bending,
- the thus pre-stressed glass sheet is caused to break along the score line by pressure applied to both sides of

the score line only at the vicinity of one end of the score line and on the side of the score line.

A person skilled in the art knows (for example from D3, column 10, line 50 - column 11, line 4) that it is possible to apply pressure to one edge of the glass sheet, after pre-stressing the glass sheet, in order to achieve the same purpose (a clean break).

Moreover, independent claims 1 and 5 cannot be considered inventive.

1.3 The features of claims 2, 4, 12 and 13 are also known from D1. That document discloses:

1.3.1 A process (as per claim 2) in which the glass sheet (3) is pre-stressed in that it is held down by suction disks (16) arranged on both sides of the score line (26) and to which a vacuum is applied, and pressure is applied to the glass sheet (3) from the side of the glass sheet (3) opposite the score line (26) by means of a breaking strip (4), the pressure being applied by the breaking strip (4) in a direction opposite to the acting direction of the suction disks (16) (see figures 14-16 and paragraphs 40 and 41).

1.3.2 A process (as per claim 4) in which uniform pressure is applied to the glass sheet (3).

1.3.3 A device (as per claims 12 and 13) in which the suction disks (16, 18) are arranged on both sides of the breaking strip (4) and the compression tool (8) is adjustable (8) in the direction of the score line (26) (by means of the resetting system 11).

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Consequently, these claims also cannot be considered inventive (see paragraph 1.2).

1.4 The subject matter of claim 3 therefore differs from the known process in that pressure is applied by a compression tool (8-11) to cause the glass sheet to break.

The present invention can therefore be considered to address the problem of severing thick glass sheets and/or narrow glass sheet strips without problems.

The solution proposed in claim 3 of the present application cannot be considered inventive (PCT Article 33(3)) for the following reasons:

Besides being known (for example from D2, figure 3a-3c), the feature of pressure being applied by means of the compression tool to cause the glass sheet to break is only one of several obvious possibilities from which a person skilled in the art would select to solve the stated problem, according to the circumstances, without being inventive.

1.5 The subject matter of claim 6 therefore differs from the known device in that pressure is applied by a fork-shaped device with two aligned fingers to cause the glass sheet to break.

The present invention can therefore be considered to address the problem of severing thick glass sheets and/or narrow glass sheet strips without problems.

The solution proposed in claim 6 of the present application cannot be considered inventive (PCT Article 33(3)) for the following reasons:

Dependent claim 6 relates to a minor structural modification of the device as per claim 5 which lies within the scope of what a person skilled in the art routinely makes, on the basis of familiar considerations, especially since these modifications are well known (for example from D3, figure 8) and the advantages achieved thereby are easily foreseeable. Consequently, the subject matter of claim 6 also fails to involve an inventive step.

1.6 The same reasons apply to independent claims 7-13, which describe minor known structural modifications. The subject matter of claims 7-13 therefore also fails to involve an inventive step (PCT Article 33(3)).

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